

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: TIMOTHY ALAN RUSH)	CHAPTER 13
DEBTOR)	CASE NO. 1:23-bk-00417-HWV
)	
CAPITAL ONE AUTO FINANCE,)	
A DIVISION OF CAPITAL ONE, N.A.)	
MOVANT)	
)	
TIMOTHY ALAN RUSH)	
RESPONDENT)	
)	
JACK N. ZAHAROPOULOS, TRUSTEE)		

**DEBTORS' RESPONSE TO CAPITAL ONE AUTO FINANCE, A DIVISION OF
CAPITAL ONE, N.A.MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER
11 U.S.C. 362 PURSUANT TO BANKRUPTCY PROCEDURE RULE 4001**

1. Movant, Capital One Auto Finance, A Division of Capital One, N.A. filed its Motion for Relief from Stay on June 20, 2023.

2. Debtor acknowledges some auto loan payments are past due.

3. Debtor desires the opportunity to cure any post-petition arrears and keep his automobile.

4. Debtor requests the Court deny Movant's Motion for Relief.

WHEREFORE, Debtor, Timothy Alan Rush, prays the Court enter its order denying the Motion for Relief from the Automatic Stay that was filed June 20, 2023 by Capital One Auto Finance, A Division of Capital One, N.A.

Dated: June 29, 2023

/s/Nicholas G. Platt
Nicholas G. Platt (327239)
Counsel for Debtor
Mooney Law
230 York Street
Hanover, PA 17331
ngp@mooney4law.com
(717) 243-4770 Phone
(717) 632-3612 Fax